

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CD INTELLECTUAL PROPERTY  
HOLDINGS, LLC,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

C.A. No. 05-00414 (JJF)

AMAZON.COM, INC., and  
A9.COM, INC.,

Plaintiffs,

v.

CENDANT CORPORATION, TRILEGIANT  
CORPORATION, ORBITZ, LLC, ORBITZ,  
INC., BUDGET RENT A CAR SYSTEM,  
INC., and AVIS RENT A CAR SYSTEM,  
INC.,

Defendants.

C.A. No. 06-00041 (JJF)

**AMAZON.COM, INC. AND A9.COM, INC.'S  
MOTION TO CONSOLIDATE**

Pursuant to Federal Rule of Civil Procedure 42(a), Amazon.com, Inc. and A9.com, Inc. hereby move the Court for an order consolidating Civil Action No. 05-00414 (JJF) and Civil Action No. 06-00041 (JJF). The grounds for this motion are set forth in the Amazon.com, Inc.

and A9.com, Inc.'s Opening Brief In Support of Motion to Consolidate, filed contemporaneously herewith.

Dated: February 2, 2006

AMAZON.COM, INC. and A9.COM, INC.

A handwritten signature in cursive script, reading "Karen E. Keller", written over a horizontal line.

Joey W. Ingersoll (I.D. # 1088)

John W. Shaw (I.D. # 3362)

Karen E. Keller (I.D. # 4489)

The Brandywine Building

1000 West Street, 17th Floor

Wilmington, DE 19801

Telephone: (302) 571-6600

Attorneys for Defendant/Plaintiffs

AMAZON.COM, INC. and A9.COM, INC.

OF COUNSEL:

Lynn H. Pasahow

J. David Hadden

Darren E. Donnelly

Wendy L. Bjerknes

FENWICK & WEST LLP

801 California Street

Mountain View, CA 94041

Telephone: (650) 988-8500

Facsimile: (650) 938-5200

**CERTIFICATE OF SERVICE**

I, Karen E. Keller, hereby certify that on February 2, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Steven J. Balick, Esq.  
ASHBY & GEDDES  
222 Delaware Ave.  
P.O. Box 1150  
Wilmington, DE 19899  
sbalick@ashby-geddes.com

I further certify that on February 2, 2006, I caused a copy of the foregoing document to be served by hand delivery and electronic mail on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

**BY FEDERAL EXPRESS & E-MAIL**

Douglas E. Olson  
*dougolson@paulhastings.com*  
Stephen S. Korniczky  
*stevekorniczky@paulhastings.com*

James V. Fazio, III  
*jamesfazio@paulhasting.com*  
PAUL, HASTINGS, JANOFSKY & WALKER,  
LLP  
3579 Valley Center Drive  
San Diego, CA 92130

Steve Lieberman, Esq. *slieberman@rfem.com*  
ROTHWELL, FIGG, ERNST  
& MANBECK, PC  
1425 K Street, NW, Suite 800  
Washington, D.C. 20005

YOUNG CONAWAY STARGATT &  
TAYLOR, LLP

/s/ Karen E. Keller  
John W. Shaw (ID# 3362)  
Karen E. Keller (ID#4489)  
The Brandywine Building  
1000 West Street, 17th Floor  
Wilmington, DE 19801  
Telephone: (302) 571-6600  
kkeller@ycst.com

Attorneys for Defendant